

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

United States of America

v.

Darrin Johnson

Defendant(s)

Case No. 1:22-MJ-611

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 17, 2021 in the county of Hamilton in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

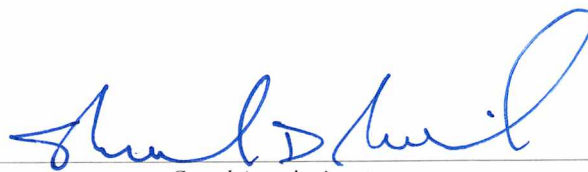
18 U.S.C. Section 249(a)(1)

Hate crime

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Michael Reigle, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 10.26.2022

City and state: Cincinnati, Ohio



Judge's signature

Hon. J. Gregory Wehrman, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF  
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Michael D. Reigle, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint and arrest warrant for DARRIN JOHNSON for violation of United States law, specifically Title 18, United States Code, Section 249(a)(1) (Hate Crime).

2. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and am assigned to the Cincinnati Field Office. I have been a Special Agent of the FBI for over 20 years. During my employment with the FBI, I have been assigned to a variety of matters, to include white collar crime, counterintelligence, and counterterrorism. I have had training in the investigation of white-collar crimes and have conducted or participated in investigations involving civil rights violations, fraud, theft of trade secrets, and money laundering. During my career, I have utilized a variety of investigative techniques. As an FBI Special Agent, I am responsible for the investigation and enforcement of violations of United States law, including Title 18, United States Code, Section 249 (Hate Crime).

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that DARRIN JOHNSON violated Title 18, United States Code, Section 249(a)(1) (Hate Crime).

**PROBABLE CAUSE**

5. I have communicated with officers of the Cincinnati Police Department ("CPD") and the University of Cincinnati Police Division ("UCPD"), as well as reviewed reports and

body camera footage from multiple officers, and from those conversations and that review, I have learned, among other things, the following:

a. On or about August 17, 2021, UCPD officers arrived at an address in Cincinnati, Ohio, in response to a radio call about an assault in progress on a University of Cincinnati student (“Victim-1”). Victim-1 is an Asian American male.

b. When UCPD officers arrived, the suspect (“Individual-1”) had escaped and run away after initially being restrained by bystanders.

c. Victim-1 was on the sidewalk, with bleeding lacerations on his face. Victim-1 reported, in substance and in part, that Individual-1 had punched him while making racist comments, including a reference to the “kung flu.” Victim-1 was transported to a hospital.

d. UCPD and CPD officers pursued Individual-1, eventually tracking him down to a parking lot near a recreation center and placing him under arrest. Individual-1 was subsequently identified as DARRIN JOHNSON.

6. I have reviewed medical records from the hospital that provided treatment to Victim-1, and from that review, I have learned that, on or about August 17, 2021, Victim-1 was

diagnosed with right orbital contusion, mandible pain, facial laceration, acute head injury, and bilateral knee abrasions.

7. I have spoken with Victim-1, who told me, in substance and in part, the following:

- a. Victim-1 is a student at the University of Cincinnati, and is of Asian descent.
- b. On the day of the incident, Victim-1 was outside of an apartment building, preparing to go on a run.
- c. While standing on the sidewalk, Victim-1 heard Individual-1 say, "Go back to your country. . . . You brought the kung flu here. . . . You're going to die for bringing it."
- d. Victim-1 also heard Individual-1 say, "I'm going to kill you," and "Wanna fight?" Individual-1 brought his fists up in a fighting posture and began jumping up and down. Victim-1 raised his hands with open palms, and said, "No."
- e. Individual-1 punched Victim-1 on the side of his head. Victim-1 fell from the force of the punch, hitting his head on the bumper of a parked car.
- f. A bystander tackled and subdued Individual-1. When police officers arrived, they told the bystander to release Individual-1. When Individual-1 was released, he ran away.
- g. Victim-1 was transported to the hospital, where he was treated for a head injury and facial lacerations. Victim-1 suffered a minor concussion, and received stitches by his eye.

8. I interviewed an eyewitness to the incident ("Witness-1"), who told me, in substance and in part, the following:

- a. Witness-1 was present in the area on the day of the incident, assisting someone with a move into an apartment building.
- b. While outside unloading boxes from his car, Witness-1 heard loud noises coming from the vicinity of the apartment building.

c. Witness-1 saw Victim-1 outside of the apartment building. Witness-1 also saw Individual-1 standing near Victim-1. Individual-1 said, in substance and in part, “Thanks for COVID,” and used an anti-Asian slur.

d. Witness-1 saw Victim-1 move towards the street. In response, Individual-1 said, in substance and in part, “Oh, no, motherfucker,” removed his shirt, and took a few steps.

e. Witness-1 then heard a big thud, followed by a smaller thud. Witness-1 then ran towards Individual-1, who was standing over Victim-1. Witness-1 made physical contact with Individual-1, and another bystander grabbed Individual-1 in a bear hug and held him on the ground.

f. Victim-1 had blood dripping from his face and was out of it for a minute.

g. According to Witness-1, it seemed that Individual-1 attacked Victim-1 because he was Chinese.

9. I have reviewed surveillance footage from the lobby of a nearby building taken on or about August 17, 2021, and was able to observe the assault described by Victim-1 and Witness-1. The footage shows, among other things, Individual-1 striking Victim-1.

10. DARRIN JOHNSON pleaded guilty in Hamilton County Municipal Court to misdemeanor assault for the above-described incident and was sentenced on or about October 13, 2021.

11. As required by the statute, on or about September 21, 2022, Assistant Attorney General Kristen M. Clarke certified this prosecution as in the public interest and necessary to secure substantial justice. *See* 18 U.S.C. § 249(b).

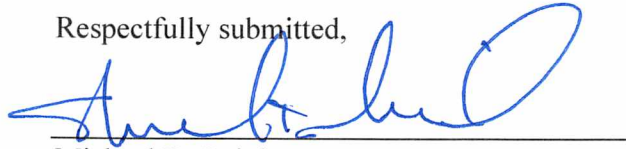


**CONCLUSION**

12. Based on the foregoing, I request that the Court issue the proposed arrest warrant.


13. I further request that the Court order that all papers in support of this criminal complaint and arrest warrant, be sealed until further order of the Court. There is good cause to seal these documents because their premature disclosure may give JOHNSON an opportunity to flee/continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, or otherwise seriously jeopardize the investigation.

Respectfully submitted,



Michael D. Reigle  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me 26 day of October 2022.

  
HONORABLE J. GREGORY WEHRMAN  
UNITED STATES MAGISTRATE JUDGE